

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

Interprofession du Gruyère, et al.,

Plaintiffs,

v.

U.S. Dairy Export Council, et al.,

Defendants.

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Civil Action No. 1:20cv01174-TSE-TCB

[PROPOSED] ORDER

This matter is before the Court upon Defendants/Counterclaim-Plaintiffs, U.S. Dairy Export Council, Atalanta Corporation, and Intercibus Inc. (collectively, “Defendants”), Motion for Summary Judgment. Having considered the motion and the briefs and evidence submitted by the parties, the Court **GRANTS** the motion.

THEREFORE, it is hereby ORDERED that:

1. Plaintiffs’ claims in their Amended Complaint are hereby dismissed with prejudice;
2. Defendants are granted summary judgment on their counterclaims in the Answer and Counterclaims;
3. The August 5, 2020, decision of the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office is affirmed; and
4. The U.S. Patent and Trademark Office is ordered to maintain the refusal of registration in U.S. Trademark Application Number 86/759,759.

Alexandria, Virginia

_____, 2021

T.S. Ellis, III
United States District Judge

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